

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)
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v.) NO.: 2:11-CR-82
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MARK C. SAWYER)

ORDER

This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated February 20, 2013. In that Report and Recommendation, the Magistrate Judge recommends that the defendant's Motion to Strike Count 1 for Insufficiency, [Doc. 91], be denied. [Doc. 110]. The defendant has filed an objection to this recommendation. [Doc. 117].

After careful *de novo* consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation which are incorporated by reference herein, it is hereby **ORDERED** that the defendant's objection is **OVERRULED**, that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 110], and that Motion to Strike Count 1 for Insufficiency, [Doc. 91], be **DENIED**.

E N T E R:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE